

So...
What is so
trying about
titles?

TYPICAL ISSUES

- 1. Tiny spaces
- 2. Name incorrect
- 3. No ID
- 4. Name on title doesn't match ID
- 5. Owner's name has changed

TYPICAL ISSUES (cont.)

- 6. Title has one or more liens listed
- 7. Deceased owners (death certificate)
- 8. Multiple owners
- 9. Customer has already signed
- 10. Transfer ownership from divorced spouse

TYPICAL ISSUES (cont.)

- 11. Notarial block already completed
- 12. Names spelled wrong
- 13. Owner is a child
- 14. Owned by Business
- 15. Signer has POA, Trust, Guardianship Authority

TYPES of ISSUES

- > Non-Issues
- > TRB Issues
- > Customer Issues
- > Notary Issues

NON-ISSUES

- > Tiny spaces deal with it
- ➤ Owner is a child age is irrelevant
- > Liens ignore not your concern

TRB ISSUES

- > Name on title is spelled wrong
- > Name on title is incorrect

A Notary Cannot Fix These Problems

Handling TRB Issues

> Send customer to County Treasurer's Office

or

➤ Have them contact TRB directly

Scott Hart Bldg 302 N. Roberts Helena, MT (406) 444-3933

CUSTOMER ISSUES

No Satisfactory ID

- ➤ Use Credible Witness
 - > Must be in notary's physical presence
 - > Must personally know the signer
 - > Must be personally known to, or properly identified by, notary
 - Cannot be a party to, or beneficiary of, transaction

CUSTOMER ISSUES

Transfer Ownership From Divorced Spouse

- > As a notary, you do not know what is needed to accomplish this
- > You may notarize the signature of the person personally appearing to you.
- Questions should be referred to the County Treasurer's Office or TRB

CUSTOMER ISSUES

Deceased Owner

- > Signer has death certificate
 - > Death certificate does not constitute "identification"
 - Signer must have documentary proof of authority to sign on behalf of estate – Executor, Personal Representative, etc.
 - ➤ Power of Attorney is not acceptable!

Handling Customer Issues

- ➤ Be aware of what you can and cannot do!!
- Don't give legal advice (unless you're a lawyer)!
- ➤ **Be professional** (help if you can)
- > Don't buy into customer's drama

NOTARY ISSUES

- > Customer has already signed
- > Notarial block already completed
- > Multiple owner issues
- > Name doesn't match
- Vehicle is owned by business or signer has POA, Probate, Trust, or Guardianship authority
- Old titles

NOTARY NAME ISSUES

- ➤ Names don't exactly match
- > Owner's name has changed
- > Title issued to business
- Signer has POA, Probate, Trust, or Guardianship Authority

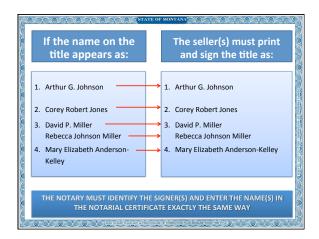
NOTARY NAME ISSUES

Names Don't Exactly Match

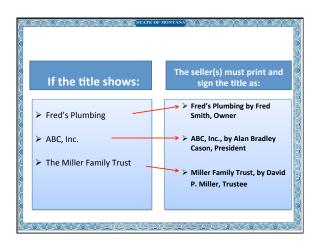
- **➤ ID Issue**
 - > Request additional IDs
 - ➤ Refuse if not satisfied
- ➤ Name Change (marriage/divorce)
 - **➤** Connect the dots
 - > Copy of marriage certificate
 - > Copy of divorce decree

NOTARY NAME ISSUES

Basic Rule – The owner's name(s) as it appears on the title is the name that must be entered as the signer(s)/seller(s) name and signature, and notarized as such.



Title Issued to Businesses Signer has POA, Probate, Trust, or Guardianship Authority All Representative Capacity Signers Verify identity, capacity, and authority of signer Complete notarial block appropriately!!!



NOTARY SPACE ISSUES

- > Customer has already signed
- > Notarial block already completed
- ➤ Multiple owners not enough room

NOTARY SPACE ISSUES

Customer Has Already Signed

- Have customer re-sign in your presence
 - > Use space beside previous signature
 - > Do not cross out first signature
- Have customer complete MV100 (sample provided)

NOTARY SPACE ISSUES

Notarial Block Already Completed

- > If completed by previous notary Use MVD loose certificate
 - > Indicate notarization attached
 - > Put note in journal
- ➤ If completed in error line through Use MVD loose certificate and attach MV100 (completed by whomever made mistake)

		_	
	(I	١
		•	١

NOTARY SPACE ISSUES

Multiple Owners – Not Enough Room

- ➤ Use loose certificate (sample provided)
 - ➤ Use only form required by MT MVD
 - Indicate "Notarization for "_ attached."
 - ➤ Make note in your journal

MISC. NOTARY ISSUES

- Multiple owners not all signers present
- **➢ Old Titles**

MISC. NOTARY ISSUES

Multiple Owners – Not All Signers Present

- ➤ No problem just notarize for the person(s) appearing to you
 - Enter the word "only" after signer's name in notarial block
 - Indicate you only notarized for only one of the owners in your journal

MISC. NOTARY ISSUES Multiple Owners – Notarial Block Already Completed

- ➤ Handwrite notarial block in lienholder's space (Don't use a stick-on certificate)
- Use MVD Loose Certificate (sample provided)
 - Note on title, "Notarial certificate for attached."
 - Indicate in journal that loose certificate used

MISC. NOTARY ISSUES

Old Titles - issued before 2010

- ➤ Jurat "Subscribed & affirmed"
- ➤ Missing elements You must add the venue and/or name of signer
- **▶** Correct Placement of stamp
 - > Place just to left of signature in lienholder space
 - Line-through unnecessary "stuff"
- > "Open Title" Warning

MONTANA MOTOR VEHICLE TITLE Old Version Issued before 2010 One of the control o

MISC. NOTARY ISSUES

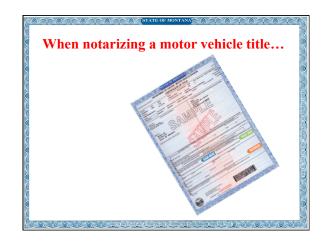
New Titles - issued after 2010

- ➤ Signature "Signed"
- You do not have to re-enter the information contained in your stamp
 - Draw line to indicate spaces were not unintentionally left blank or overlooked

MONTANA MOTOR VEHICLE TITLE New Version Issued after 2010 The while/shows and my be subject to other security inferiests. As the Registers Owner of the same ration, I sender all light, 182 and secret to the whole to the following services at of the date leader. For the same shows the s

Handling Notary Issues

- **Be professional**
- Rely on fundamentals Titles are not any different than any other document!
- > Take responsibility for your errors -
 - Statement of Fact form MV 100 (Keep a supply handy)



- ✓ Rely on Your Training
- **✓ Take Your Time**
- ✓ Use Your Tools

